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REMARKS

Claims 1-18 are pending, and new claims 19-20 have been added. Claims 1, 2, 8-10, 12-15 have been amended. Reconsideration of the application is respectfully requested.

Claims 1-18 were rejected under 35 U.S.C. 112, first paragraph, because the phrase "at least one server that automatically forms at least one virtual group" was added to claims 1 and 8. The Examiner takes the position that there is no support in the application as originally submitted for this limitation.

The application as originally submitted provided that:

If a group of purchasers desires to purchase lottery tickets in bulk, a virtual group is created therefore at a server which includes corresponding information with respect to the group of purchasers (group information) and the purchasing of the lottery tickets (lottery information). (page 5, lines 5-8)

...

FIG. 3 is a flow diagram that illustrates the setup of an exemplary virtual group 21 created at the server 101 for purchasing lottery tickets for a group of people according to the invention. (page 6, lines 18-20)

...

In step 307, the virtual group 21 is created at the server 101 according to the information gathered for storage in steps 301, 302, 303, 304, 305 and 306 which correspond to the group of purchasers of lottery tickets. (page 8, lines 7-10)

Since the group is created at the server, and there is no disclosure of a person at the server to form the group or the purchaser forming the group from the computer, it is clear that the group formation is automatic at the server. One of ordinary skill in the art would appreciate that

one lottery whose tickets the purchasers wish to buy” and does not store “lottery information about at least one lottery.” Similarly, the Walker ‘782 patent does not teach that the server purchases lottery tickets or that it communicates the results of the purchase of lottery tickets to the purchasers.” At best, the Walker ‘782 system communicates whether a person who is a member of the casino group has won on a machine at the casino, and what prize the other members of the group will get.

While the Walker ‘782 patent discloses registration over the Internet (Col. 9, lines 16-20, it fails to disclose "at least one computer connected to at least one server via an Internet, the purchaser entering predefined information into the server via the computer, ...where the at least one server forms at least one virtual group of lottery ticket purchasers based on the predefined information entered by the purchasers, which sets the purchasers for the group."

U.S. Patent No. 6,146,272 to *Walker et al.* discloses a conditional lottery ticket system that processes conditional lottery ticket transactions, including the acceptance and validation of play entries. According to this reference, the conditional lottery ticket system preferably includes a central lottery server and one or more remote lottery terminals. The conditional lottery ticket system permits a player to purchase conditional lottery tickets that are not activated until one or more player-defined activation conditions are satisfied (see col. 2, lines 25-34). Basically, this reference is directed to the purchase of a single conditional lottery ticket by an individual player at a lottery terminal, i.e., a device with a reader for a sense mark strip 200 (Col. 7, lines 36-39). These tickets are not activated until one or more player-defined activation conditions are defined (see *Abs.*). However, this reference is not related to group play of any type. While it does relate to the

purchase of lottery tickets, it does not permit “purchasers to purchase lottery tickets over the Internet.” At most, the Walker ‘272 patent discloses that the lottery system itself may use the Internet, not the purchaser (Col. 4, lines 44-51). Since the Walker ‘782 patent relates to group play in a casino on slot machines in order to get customers into the casino, and Walker ‘272 relates to a single person purchasing a lottery ticket at a lottery machine based on some event in the future, there is no motivation to combine the references. The Examiner asserts that both references discuss a network system for playing a lottery, but they are very different. One plays a lottery machine and the other provides a system for buying a state lottery ticket. Further, even if these references are combined, they would not yield the invention defined by the present claims. The Examiner asserts that it would have been obvious to modify the Walker ‘782 system to include automated rule based lottery purchases as in Walker ‘272. However, that is not the present invention, i.e., the group purchase of lottery tickets over the Internet. Therefore the rejection based on these references is due to hindsight from reading the present application and not due to the disclosures of the references.

As noted by the Examiner, the Walker ‘549 patent discloses a database online distributed tournament system that manages all aspect of group play and participation. The games played in the Walker ‘549 system are typically competitive games. While games of chance are mentioned, there is no mention of group lottery purchases. Citing Column 7, lines 47-56, the Examiner goes on to state that Walker ‘549 teaches that the central controller will automatically create player groups that are based on predefined, player-entered information. However, that portion of the ‘549 patent states that:

Continuity between tournaments is improved by storing player preferences. Once a player’s preference for method of prize payment is

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By 

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